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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 CHARLES DANIEL, JR.,)

8 Plaintiff,)

9 v.)

10 SGT. MAXSSON, et al.,)

11 Defendants.)

Case No. C08-1451-RSM-BAT

ORDER DENYING MOTION
FOR JUDGMENT ON THE
PLEADINGS

12 The Court, having reviewed the Report and Recommendation of Brian A. Tsuchida, United
13 States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- 14 (1) The Court adopts the Report and Recommendation.
15 (2) Plaintiff's Motion for Judgment on the Pleadings (Dkt. 29) is DENIED.
16 (3) The Clerk is directed to send copies of this Order to plaintiff and to Judge
17 Tsuchida.

18 DATED this 13 day of October, 2009.
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22 RICARDO S. MARTINEZ
23 UNITED STATES DISTRICT JUDGE